

DISTRICT OF COLUMBIA  
+ + + + +  
ALCOHOLIC BEVERAGE CONTROL BOARD  
+ + + + +  
MEETING

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IN THE MATTER OF: :

:

Zanzibar on the Waterfront, Inc:

t/a Zanzibar on the Waterfront :

700 Water Street SW :

Retailer Class CN :Fact Finding

License No. 26504 :Hearing

Case No. 09-251-00269 :

Assault Occurred Inside :

Establishment on :

October 11, 2009 :

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January 6, 2010

The Alcoholic Beverage Control  
Board met in Alcoholic Beverage Control  
Hearing Room, 1250 U Street, N.W.,

Washington, D.C., Charles Brodsky, acting  
Chairperson presiding.

PRESENT

CHARLES BRODSKY, Acting Chairman

NICK ALBERTI, Member

DONALD BROOKS, Member

HERMAN JONES, Member

ALSO PRESENT

JABRIEL SHAKOOR, ABRA

1 P-R-O-C-E-E-D-I-N-G-S

2 5:26 p.m.

3 ACTING CHAIR BRODSKY: Calling our  
4 next case. This is Case No. 09-251-00269,  
5 Zanzibar on the Waterfront, Inc., trades as  
6 Zanzibar on the Waterfront.

7 Parties forward and introductions,  
8 please?

9 INVESTIGATOR SHAKOOR: ABRA  
10 investigator Jabriel Shakoor.

11 ACTING CHAIR BRODSKY: Hello,  
12 Investigator Shakoor.

13 MR. DALEY: Michel Daley, an  
14 equity owner in Zanzibar on the Waterfront.

15 ACTING CHAIR BRODSKY: Hello, Mr.  
16 Daley. Happy New Year to you.

17 MR. DALEY: Same to you, sir.

18 ACTING CHAIR BRODSKY: Thank you,  
19 sir. And you are with?

20 MR. DALEY: Zanzibar on the  
21 Waterfront.

22 ACTING CHAIR BRODSKY: Who's your

1 crew?

2 MR. DALEY: I'll let them  
3 introduce themselves.

4 MR. GREEN: Warren Green, bar  
5 manager.

6 ACTING CHAIR BRODSKY: Hello, Mr.  
7 Green.

8 MR. GREEN: How you doing?

9 MR. SITNEK: My name is Ric  
10 Sitnek. I am the district manager for Armed  
11 Response Unit Security Company.

12 ACTING CHAIR BRODSKY: Armed  
13 Response Security? And how are you related to  
14 this incident?

15 MR. SITNEK: They contract my  
16 company for security and I was present the day  
17 it happened.

18 ACTING CHAIR BRODSKY: So you  
19 provide security at Zanzibar?

20 MR. SITNEK: Correct.

21 COURT REPORTER: If everyone could  
22 sign in.

1                   ACTING CHAIR BRODSKY: Yes, make  
2   sure your names are written down there, if you  
3   would, please.

4                   Gentleman on the end?

5                   MR. McCREE: Jason McCree,  
6   promotional director for Zanzibar.

7                   ACTING CHAIR BRODSKY: Are you an  
8   employee of Zanzibar?

9                   MR. McCREE: I'm sorry?

10                  ACTING CHAIR BRODSKY: Are you a  
11   full-time employee of Zanzibar?

12                  MR. McCREE: Yes, I'm contracted  
13   with Zanzibar through my company, Official  
14   Entertainment.

15                  ACTING CHAIR BRODSKY: So you're  
16   not an employee of Zanzibar? You're an  
17   independent contractor?

18                  MR. McCREE: Correct.

19                  ACTING CHAIR BRODSKY: And what  
20   are you in representation to do today?

21                  MR. McCREE: I was there at the  
22   incident when it took place.

1                   ACTING CHAIR BRODSKY: Thank you  
2 very much, Mr. McCray?

3                   MR. MCCREE: McCree, yes.

4                   ACTING CHAIR BRODSKY: McCree.  
5 Thank you very much, Mr. McCree.

6                   MR. MCCREE: You're welcome.

7                   ACTING CHAIR BRODSKY: All right.  
8 This is a fact finding hearing, folks. This  
9 is a non-adversarial process. Our job here  
10 today is to solicit information and see if  
11 there's any basis for moving forward or not  
12 moving forward, depending on what the Board  
13 hears and what we discover today.

14                   So, we'd like to start off with  
15 the investigator to talk a little bit about  
16 the incident that was reported as an assault  
17 inside the establishment on October 11th.

18                   INVESTIGATOR SHAKOOR: Thank you,  
19 Mr. Chairman.

20                   I initiated my investigation on  
21 Thursday, October 15th, 2009 after receiving  
22 a police report stating that on Sunday,

1     October 11th, 2009 a patron reported that he  
2     was punched in the face while inside the  
3     establishment.

4                 On Thursday, October 15th, 2009, I  
5     contacted the complainant, Sebastian Pippins,  
6     recording the incident. Mr. Pippins stated at  
7     the time that he was involved in an  
8     altercation with a promoter. He also stated  
9     that he was not faulting the establishment.  
10    He also stated to me that he did not want to  
11    make a statement until he spoke with is lawyer  
12    and that was his last comment.

13                I made several attempts to contact  
14    Mr. Pippins regarding the incident, and as of  
15    today's date I have not been able to contact  
16    Mr. Pippins.

17                On Saturday, October 17th, 2009, I  
18    visited the establishment Zanzibar on the  
19    Waterfront. I spoke with the security  
20    personnel, Marcus James and Sharon Tyler, who  
21    were involved in the incident also. I also  
22    spoke with the promotions and managing

1 director Jason McCree about the incident. I  
2 spoke with the ABC manager Warren Green.

3           After reviewing the surveillance  
4 and taking all statements, I was able to  
5 determine that Mr. Pippins was involved in  
6 some kind of an altercation. I was able to  
7 conclude that Mr. Pippins claimed that a  
8 patron had a gun in the beginning. Security  
9 responded. They patted down the patron. They  
10 found no weapons. Mr. Pippins later became  
11 angry at the staff and pushed Mr. McCree.  
12 Security responded by escorting Mr. Pippins  
13 and his party outside.

14           From the surveillance you can see  
15 MPD was directly outside the front door. He  
16 spoke with them. Mr. Warren Green was present  
17 at the time. They spoke with the police. And  
18 that was all I could determine at the time.

19           ACTING CHAIR BRODSKY: Anybody  
20 have any questions for the investigator on the  
21 Board?

22           MEMBER BROOKS: You did review the

1 DVD?

2 INVESTIGATOR SHAKOOR: Yes.

3 MEMBER BROOKS: You did? And  
4 everything proved to be as you were told?

5 INVESTIGATOR SHAKOOR: Actually  
6 more came up actually on the DVD from what I  
7 found. It was a bit squirrely actually from  
8 the statements from Mr. Pippins, from what he  
9 stated. But the security cameras that were  
10 there showed everything. You could see where  
11 he's on the dance floor. Security was  
12 presently there. They walked back and  
13 interacted him with no problem at all. The  
14 second floor was not crowded at all. If there  
15 was an issue, security was present. They  
16 could have solved and taken care of it. But  
17 he made no gestures as if he was in danger,  
18 anything like that. From when they spoke to  
19 him, you could see a bit of an altercation,  
20 but not really a fight looked like. And then  
21 you can see them walk him out from what seemed  
22 the scene, down the stairs, out the front



1 door.

2 MEMBER BROOKS: Thank you, Mr.

3 Chairman.

4 ACTING CHAIR BRODSKY: Yes, sir.

5 MEMBER JONES: Thank you, Mr.

6 Chairman.

7 In the case report it indicates  
8 that you were unable to determine that on  
9 Sunday, October 11th, 2009 an incident  
10 occurred of Zanzibar. Is that you were unable  
11 to determine it based on the lack of  
12 cooperation from the complainant, or is there  
13 some other factor involved in that?

14 INVESTIGATOR SHAKOOR: One from  
15 the complainant, his not cooperating.

16 MEMBER JONES: Okay.

17 INVESTIGATOR SHAKOOR: And also  
18 from the video. The video showed security  
19 there. Everything that was shown supported  
20 what they said, but not enough to back up what  
21 he said.

22 MEMBER JONES: Okay. So based on

1     what you found, there's no clear indication  
2     that someone, the complainant, was punched?

3                 INVESTIGATOR SHAKOOR:   Yes.

4                 MEMBER JONES:   In the  
5     establishment?

6                 INVESTIGATOR SHAKOOR:   Correct.

7                 MEMBER JONES:   Or at all, in the  
8     face?

9                 INVESTIGATOR SHAKOOR:   Correct.

10                MEMBER JONES:   Okay.   And just one  
11     last thing:   You were the investigator that  
12     conducted a review of the security cameras at  
13     the Zanzibar?

14                INVESTIGATOR SHAKOOR:   Correct.

15                MEMBER JONES:   And based on your  
16     review of the videotape you found that you had  
17     a very good representation and can see clearly  
18     all aspects of the incident that occurred that  
19     night?

20                INVESTIGATOR SHAKOOR:   Correct.

21     Like I said, it happened to work better.   From  
22     the statements and when you can see -- we saw

1 actually more angles that they didn't know  
2 where he was actually within the club from the  
3 cameras.

4 MEMBER JONES: Oh, okay. All  
5 right.

6 INVESTIGATOR SHAKOOR: So you  
7 could see a lot more.

8 MEMBER JONES: So I just want the  
9 record to reflect that Jabriel Shakoor did a  
10 outstanding job in the review of the security  
11 system, and thus, has now placed this  
12 establishment in a position to have video  
13 footage that clearly showed that it appears as  
14 if no incident actually did occur in the  
15 establishment.

16 INVESTIGATOR SHAKOOR: Correct.

17 MEMBER JONES: So thank you very  
18 much for your work on that.

19 INVESTIGATOR SHAKOOR: You're  
20 welcome.

21 MEMBER JONES: Thank you, Mr.  
22 Chairman.

1                   ACTING CHAIR BRODSKY: Any other  
2 questions for the investigator?

3                   PARTICIPANT: No.

4                   ACTING CHAIR BRODSKY: Mr. Daley?

5                   MR. DALEY: Yes, thank you, Mr.  
6 Chairman.

7                   ACTING CHAIR BRODSKY: You're  
8 welcome.

9                   MR. DALEY: I didn't personally  
10 observe the situation that occurred, although  
11 I was present at the club when it did occur.  
12 And as a result, I'd ask the other gentlemen  
13 present with me to answer any questions that  
14 you might have, since they were directly  
15 involved. However, my internal investigation  
16 and our own incident report pretty much  
17 mirrors that of Investigator Shakoor.

18                   Mr. Sebastian, who we know as  
19 Brice Sebastian, who's also known evidently as  
20 Sebastian Pippins, attempted to have someone  
21 put out of the club under false pretenses.  
22 A), he claimed to our security person that

1     there was a person he wanted out of the club,  
2     had a weapon, which we didn't determine to be  
3     true. And he also stated to our security  
4     person that he was one of the owners of the  
5     club, which was also false.

6                 Security spoke to the person that  
7     Mr. Sebastian wanted put out of the club and  
8     also patted him down, and there was no  
9     indication that the patron was causing any  
10    problem or that that patron had a weapon. Mr.  
11    Sebastian then became upset that we did not  
12    eject the patron immediately and he confronted  
13    that patron in a belligerent manner. Our  
14    staff stepped in to contain the situation.  
15    Mr. Sebastian pushed and shoved at least one  
16    of our staff members. No one observed any  
17    staff member punching Mr. Sebastian in any  
18    way.

19                Mr. Sebastian was ejected from the  
20    premises and has not been allowed to return.  
21    When he was initially ejected, he did not  
22    claim that he was punched. That was a claim

1 he made at a later time talking to the police.  
2 He's tried to enter the club since then on at  
3 least one occasions and we refused to allow  
4 him to enter.

5 In closing, I would ask the Board  
6 to take into consideration that Investigator  
7 Shakoor also found no violations of our  
8 security plan and that all of our licenses  
9 were compliant.

10 ACTING CHAIR BRODSKY: Any  
11 questions from the Board?

12 MEMBER ALBERTI: No questions.

13 MEMBER BROOKS: Not from me.

14 ACTING CHAIR BRODSKY: Let's see,  
15 Mr. Daley, this is fantastic. I mean, five  
16 minutes ago I was saying that we don't live in  
17 a bubble and stuff happens, and we get that.  
18 This is a perfect example, right, where some  
19 guy just goes off his rocker, claims  
20 somebody's got a gun, people are doing him  
21 wrong, he's been harmed. And you guys acted  
22 like pros. You guys did exactly what you were

1 supposed to do. The videotape showed you did  
2 exactly what you were supposed to do. This is  
3 a huge win. I mean, I am very sorry that you  
4 guys have to be here to actually describe this  
5 to us, but, man, am I delighted. I mean, this  
6 is exactly the kind of operation that, you  
7 know, we'd be looking for in all of our  
8 operators. And you can take that to the bank.  
9 You can quote me on that. And this is exactly  
10 what's supposed to happen. Nobody got popped.  
11 Nobody bled, you know? You took care of the  
12 deal. The guy's not coming in anymore. You  
13 handled it with respect and courteousness, and  
14 did all the right things. We have absolutely  
15 no further action to take on this. Thank you  
16 very much for being here. We're sorry we had  
17 to make you wait.

18 MR. DALEY: Thank you.

19 ACTING CHAIR BRODSKY: You're  
20 welcome. Enjoy the new year.

21 MR. DALEY: All right. Thank you.

22 ACTING CHAIR BRODSKY: Okay. Do

1     good business.    Fantastic.

2                    So, we are off the record.

3                    (Whereupon, the hearing was

4     concluded at 5:37 p.m.)

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<p><b>A</b></p> <p><b>ABC</b> 7:2</p> <p><b>able</b> 6:15 7:4,6</p> <p><b>ABRA</b> 1:22 2:9</p> <p><b>absolutely</b> 15:14</p> <p><b>acted</b> 14:21</p> <p><b>acting</b> 1:16,18 2:3 2:11,15,18,22 3:6 3:12,18 4:1,7,10 4:15,19 5:1,4,7 7:19 9:4 12:1,4,7 14:10,14 15:19,22</p> <p><b>action</b> 15:15</p> <p><b>ago</b> 14:16</p> <p><b>ALBERTI</b> 1:19 14:12</p> <p><b>Alcoholic</b> 1:2,14,15</p> <p><b>allow</b> 14:3</p> <p><b>allowed</b> 13:20</p> <p><b>altercation</b> 6:8 7:6 8:19</p> <p><b>angles</b> 11:1</p> <p><b>angry</b> 7:11</p> <p><b>answer</b> 12:13</p> <p><b>Anybody</b> 7:19</p> <p><b>anymore</b> 15:12</p> <p><b>appears</b> 11:13</p> <p><b>Armed</b> 3:10,12</p> <p><b>aspects</b> 10:18</p> <p><b>assault</b> 1:10 5:16</p> <p><b>attempted</b> 12:20</p> <p><b>attempts</b> 6:13</p>	<p>7:21 14:5,11</p> <p><b>Brice</b> 12:19</p> <p><b>Brodsky</b> 1:16,18 2:3,11,15,18,22 3:6,12,18 4:1,7,10 4:15,19 5:1,4,7 7:19 9:4 12:1,4,7 14:10,14 15:19,22</p> <p><b>BROOKS</b> 1:19 7:22 8:3 9:2 14:13</p> 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